

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JANKI BAI SAHU, et al., :

:
Plaintiffs, :

:
-against- :

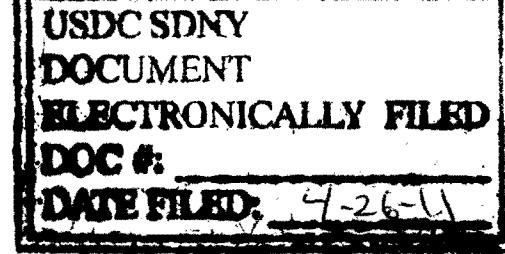
UNION CARBIDE CORPORATION, :
et al., :

:
Defendants. :

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JOHN F. KEENAN, United States District Judge:

By letter application dated April 19, 2011, Plaintiffs request that the Court strike Defendants' Memorandum of Law in Further Support of Summary Judgment on the grounds that it is exceeds page limitations, raises new arguments, and introduces new evidence. Defendants oppose the request by letter dated April 20, 2011.

Given the complexity of the issues in the case and the extensive discovery the parties have undertaken to supplement the summary judgment record, the Court accepts for filing motion papers in further support or opposition to the renewed motion for summary judgment of up to twenty-five pages. With respect to newly raised arguments and evidence, the Court notes that nearly five years have passed since Defendants' motion to dismiss was converted to a motion for summary judgment; striking and re-briefing Defendants' memorandum in further support of the renewed motion for summary judgment will unnecessarily prolong a



seven-year-old case. To the extent that Defendants have improperly submitted new arguments or inadmissible evidence, the Court will disregard those matters when deciding the motion. Arguments and admissible evidence that fairly respond to Plaintiffs' renewed opposition will not be stricken.

SO ORDERED.

Dated: New York, New York
April 26, 2011


John F. Keenan
United States District Judge